

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:160</b>
<b>CHAPTER: JUVENILE SEXUAL OFFENDER TREATMENT PROGRAM</b>		<b>AUTHORITY: KRS 15A.065 KRS 635.510</b>
<b>SUBJECT: Juvenile Sexual Offender Treatment and Assessment Professional Approval Process</b>		
<b>POLICY NUMBER: 806</b>		
<b>TOTAL PAGES: 8</b>		
		<b>EFFECTIVE DATE: 05/31/13</b>
<b>APPROVAL: A. Hasan Davis</b>		<b>COMMISSIONER</b>

## **I. POLICY**

The Department of Juvenile Justice has been authorized to approve training and supervision criteria for individuals who provide sex offender treatment for or conduct sex offender assessments of youth (KRS 635.510, KRS 635.515 and KRS 635.520). This authority shall include the standards for treatment provided in private agencies, state operated community offices, private residential programs, and state operated residential settings. In addition, DJJ shall also approve the qualifications, training, and supervision requirements of Department staff and private professionals or agencies providing juvenile sex offender treatment or assessments. Qualified professionals approved to provide treatment may also be approved to conduct assessments. The approval to conduct assessments and provide treatment shall be two distinct processes which shall be required for each service annually. However, the Department staff shall conduct all court ordered assessments. The court or family may seek an approved outside assessor to conduct an additional assessment but this shall be at the expense of the court or the family (KRS 635.510(3)).

## **II. APPLICABILITY**

This policy shall apply to all DJJ programs, DJJ staff, and approved private professionals or agencies providing services to juvenile sex offenders.

## **III. DEFINITIONS**

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- A. “Approved Treatment Professional” means a person not employed by DJJ who is approved by the Executive Committee as outlined in this policy to provide treatment services to juvenile sex offenders in either a residential or community setting.
- B. “Assessor” means a person not employed by DJJ who is approved by the Executive Committee as outlined in this policy to conduct juvenile sex offender assessments on youth as ordered by the juvenile session of the District Court.
- C. “Qualified Mental Health Professional” (QMPH) is defined by KRS 202A.011.

#### **IV. PROCEDURES**

- A. Any private professional not employed by DJJ who is seeking approval to act as an approved treatment professional or assessor shall submit appropriate documentation for review in order to meet the standards of the Department set out in IV. H of this policy. These materials shall include:
  - 1. Initial or renewal application;
  - 2. Documentation of training requirements being met;
  - 3. Documentation of supervised clinical experience;
  - 4. Signed criminal record forms; and
  - 5. Copy of license, if applicable.
- B. The Department shall reserve the right to deny or rescind approval of any Department staff or private professional if they:
  - 1. Do not meet minimum training and supervision standards;
  - 2. Have been convicted of or pled guilty to a felony criminal offense or misdemeanor offense against a person;
  - 3. Had a domestic violence protective order issued against him or her within the previous five (5) years;
  - 4. Failed to be in compliance with ethical standards of professional practice as promulgated by the Kentucky licensing or certifying body under which he or she has professional status;
  - 5. Have an alcohol or drug abuse problem as defined in KRS 222.005(3);

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6. Falsified any information or documentation or concealed a material fact, in his or her request for approval;
  7. Failed to comply with directives of the Executive Committee;
  8. Failed to comply with procedures outlined in DJJ Policy;
  9. Accepted a gift or favor from a sex offender being assessed or in treatment, from the family of the sex offender being assessed or in treatment, or from their agent; or
  10. Provide a gift or favor to a sex offender being assessed or in treatment, to the family of a sex offender being assessed or in treatment, or to their agent.
- C. 1. DJJ Counselors, Treatment Directors, Regional Psychologists, and Mental Health Branch staff who provide assessment and treatment services to juvenile sex offenders shall not be required to go through the approval process.
2. Except as provided in IV.C.6., prior to providing services to juvenile sex offenders, they shall successfully complete:
- a. Juvenile Sex Offender Treatment Provider Certification ("JSOTPC") or its equivalent, as set forth in IV. I.; and
  - b. Group Counseling Certification, except if the applicant is licensed or is authorized by a Kentucky mental health regulatory board to practice without clinical supervision.
3. Counselors in Group Homes and in facilities without a licensed Treatment Director shall receive two (2) hours of clinical supervision a month from the appropriate Regional Psychologist any time a declared sex offender is on their caseload.
4. Clinical supervision may be provided in person, by phone, or through e-mail contact. The Regional Psychologist shall maintain records of supervision.
5. If the Regional Psychologist is unable to provide clinical supervision for any reason, he or she shall find another qualified mental health professional (QMHP) within DJJ that can provide that supervision.
6. New counselors and mental health staff may provide group and individual counseling to declared sex offenders when the following conditions have been met:
- a. The staff's clinical supervisor (Treatment Director for Youth Development Center staff, Regional Psychologist or

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other QMHP for Group Home and Mental Health Branch staff) shall provide an overview of sex offender counseling and instruction on strategies for conducting group and individual counseling. The clinical supervisor shall be licensed and have successfully completed the JSOTPC or its equivalent, as set forth in IV. I.;

- b. The clinical supervisor shall directly observe one (1) group counseling session (where applicable) and one (1) individual session every month. Once certifications are obtained for either group counseling or JSOTPC, the respective supervision may stop.
- c. The clinical supervisor shall meet with the supervisee two (2) hours per month for case consultation and training, either in person or by phone.
- d. The supervision requirement may be waived for new employees who have demonstrated acceptable performance of individual and group sex offender counseling in a prior employment or educational setting. The Chief of Mental Health Services shall determine whether a waiver is appropriate, and shall not waive the supervision requirement unless it is determined that the new hire is already performing at a level equivalent to a new employee who has gone through the supervision process, due to new hire's prior training and experience. Waiver of the supervision requirement shall not remove the requirement for the new counselor to complete JSOTPC or its equivalent, as set forth in IV. I., and Group Counseling Certification when it becomes available.

D. Approved treatment professionals or assessors shall provide services consistent with DJJ policy. All approved treatment professionals and assessors shall be provided a copy of the DJJPP 800 containing the Sex Offender Treatment Program components and shall be advised that all mandatory components of this program shall be addressed during treatment. Further, all approved treatment professionals providing treatment services to youth on Conditions of Supervised Placement shall be notified of their responsibility to provide the youth with a written treatment agreement consistent with KRS 635.515(3).

E. 1. If a youth placed in the community is receiving sex offender treatment from a private professional with whom they have an

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established relationship and is not an approved treatment professional, the youth can continue to see that private professional contingent on the professional:

- a. Completing the approval process;
- b. Receiving a copy of DJJPP 800 containing the Sex Offender Treatment Program components; and
- c. Agreeing to address all mandatory components of the program during treatment.

2. DJJ assumes no fiscal responsibility for treatment provided by a private professional.

3. The private professional shall be notified of their responsibility to provide the youth on Conditions of Supervised Placement with a written treatment agreement consistent with KRS 635.515(3).

F. Approved treatment professionals or assessors shall only provide services or techniques in which they have education, training, and experience.

G. The Department shall establish an Executive Committee ("Committee") to oversee the approval of treatment professionals and assessors. The Committee shall include the following members or their designees:

1. Chief of Mental Health Services;
2. Division Director of Community and Mental Health Services;
3. Two Regional Division Directors appointed by the Commissioner of the Department of Juvenile Justice;
4. Division Director of Program Services;
5. Division Director of Professional Development; and
6. Representative of a private agency providing sex offender treatment.

H. All applicants to be an approved treatment professional or assessor shall submit all documentation to the Committee two (2) weeks prior to the quarterly scheduled meeting. If documentation is received less than two (2) weeks prior to the quarterly meeting, the documentation shall be held until the next scheduled meeting.

1. For those seeking approval to become an assessor:

- a. The application shall include documentation of the following minimum qualifications:

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- i. Master's Degree in social work, psychology, counseling, or a related field;
  - ii. Completion of the JSOTPC or its equivalent, as set forth in IV. I., and ninety (90) hours of related assessment;
  - iii. Completion of the Group Counseling Certification Course at Western Kentucky University or its equivalent, as set forth in IV. I., except if the applicant is licensed or is authorized by a Kentucky mental health regulatory board to practice without clinical supervision; and
  - iv. Receipt of two (2) hours per month of supervision by a QMHP. This monthly supervision shall occur concurrently with the ninety (90) hours of related assessment referenced in item IV. H. 1. B; and
- b. The applicant shall complete four (4) juvenile sexual offender risk assessment reports and submit those reports to the Executive Committee for review:
  - i. The reports may be all initial assessments or one (1) reassessment and three (3) initial assessments;
  - ii. An applicant may use any juvenile sexual offender risk assessment instrument(s) the applicant uses in his or her current job but shall also include the risk assessment instrument(s) utilized by the Department;
  - iii. If the applicant includes an instrument(s) other than the instrument(s) utilized by the Department, the applicant shall submit a copy of that instrument(s) along with the reports; and
  - iv. All four (4) reports may be submitted at the same time or may be submitted one (1) at a time.
- 2. The application shall include documentation of the following minimum qualifications for those seeking approval to serve as an approved treatment professional:
  - a. Community Treatment Professionals
    - i. Master's Degree in social work, psychology, counseling, or a related field;
    - ii. Completion of the JSOTPC or its equivalent, as set forth in IV. I., and one-hundred and sixty (160) hours involving the treatment of sex offenders and their families;
    - iii. Completion of the Group Counseling Certification Course at Western Kentucky University or its

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equivalent, as set forth in IV. I., except if the applicant is licensed or is authorized by a Kentucky mental health regulatory board to practice without clinical supervision; and

- iv. Receipt of two (2) hours per month of supervision by a QMHP during the certification process. This monthly supervision shall occur concurrently with the one-hundred and sixty (160) hours of related treatment involving sex offenders and their families referenced in item IV. H. 2. a. ii.

b. Residential Treatment Professionals

- i. Bachelor's Degree in social work, psychology, counseling, or a related field;
- ii. Completion of the JSOTPC or its equivalent, as set forth in IV. I., and one-hundred and sixty (160) hours involving the treatment of sex offenders and their families;
- iii. Completion of the Group Counseling Certification Course at Western Kentucky University or its equivalent, as set forth in IV. I., except if the applicant is licensed or is authorized by a Kentucky mental health regulatory board to practice without clinical supervision; and
- iv. Receipt of two (2) hours per month of supervision by a QMHP during the certification process. This monthly supervision shall occur concurrently with the one-hundred and sixty (160) hours of related treatment involving sex offenders and their families referenced in item IV. H. 2. b. ii.

I. All requests to have equivalent courses or trainings approved by the Department to meet minimum requirements for approved treatment professional or assessor shall be submitted in writing to the Committee. The request shall include:

- 1. An outline of the course;
- 2. Description of the content of each course or training taken or the training attended;
- 3. Dates of the course or training;
- 4. Providers of the course or training with qualifications; and
- 5. Certificate of completion.

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- J. To maintain certification, the approved treatment professional or assessor shall complete eight (8) hours each calendar year of continuing education related to juvenile sex offender issues. All documentation for continuing education shall be submitted to the Committee prior to December 31 of each year for approval.
    1. The Chief of Mental Health Services or designee shall maintain all the records of the training requirements met by the approved treatment professionals or assessors.
    2. The Committee shall provide notice of the approved initial and renewal application process and the annual approval for each treatment professional or assessor in writing.
  
  - K. Any training sponsored or provided by the Department shall be approved for continuing education. Continuing education credits for outside trainings shall be submitted to the Committee. Requests for approval of other outside trainings shall be submitted in writing to the Committee.
    1. The request shall include:
      - a. A description of the training and course content;
      - b. The notice or brochure of the training;
      - c. The provider; and
      - d. The qualifications of the provider and the length of the training.
    2. Requests for approval of continuing education credits after the training has occurred shall not be considered.
  
  - L. Exceptions to the application procedure can be made on an emergency basis with the approval of the Chief of Mental Health Services.
- V. MONITORING MECHANISM**
- Monitoring of this policy and corresponding standard operating procedures shall be conducted by the Chief of Mental Health Services, the Division Director of Community and Mental Health Services, and the Quality Assurance Branch on an annual basis.